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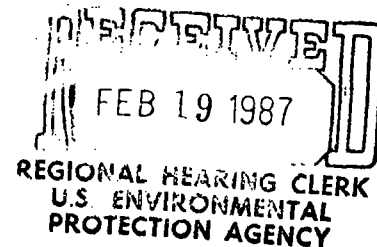
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February 16, 1987

The Honorable J. F. Greene  
Administrative Law Judge  
U.S. Environmental Protection Agency  
Washington, D. C. 20460

Re: Gary Development Company, Inc.  
Docket No. RCRA-V-W-86-R-45



Dear Judge Greene:

Pursuant to the Order for Pretrial Exchange dated December 9, 1986, enclosed are two (2) copies of Gary Development's Preliminary Exhibit and Witness Lists. Please return a file-marked copy of the same in the enclosed self-addressed, stamped envelope.

Thank you for your assistance.

Very truly yours,

PARR, RICHEY, OBREMSKEY & MORTON

By Warren D. Krebs

WDK/lh  
Enclosures  
cc w/enc: Marc M. Radell  
Beverly Shorty

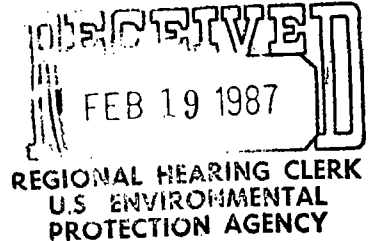
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Washington, D. C.

IN THE MATTER OF )  
 )  
GARY DEVELOPMENT COMPANY, INC., ) DOCKET NO. RCRA-V-W-86-R-45  
 )  
Respondent. )

PRELIMINARY EXHIBIT AND WITNESS LISTS  
OF GARY DEVELOPMENT COMPANY, INC.

Preliminary List of Exhibits



Gary Development Company, Inc., by counsel, hereby submits  
its preliminary exhibit list:

- (1) Letter of December 1, 1981, from Region V Chief of Water & Hazardous Materials Enforcement Branch to Jones & Laughlin Steel informing that U.S. EPA's Office of Waste Programs Enforcement had issued a memorandum that it had made a preliminary determination to publish notice to exclude certain J & L wastes from the RCRA list.
- (2) Letter of December 15, 1981, from U.S. EPA's Hazardous and Industrial Waste Division at Washington to Jones & Laughlin Steel that J & L's treatment sludge generated at its Indiana Harbor Works facility is considered a non-hazardous waste, and including attachments A and B.
- (3) Letter of June 18, 1982, from U.S. EPA Region V Technical Programs Chief to Gary Development informing Gary it did not have interim status.
- (4) Letter of July 6, 1982, from Indiana Environmental Management Board Technical Secretary Pickard to Jones & Laughlin Steel granting it a variance for delisted hazardous waste to be disposed of at Gary's facility.
- (5) Letter of April 26, 1983, by U.S. Reduction Company to Indiana's Land Pollution Control Division responding to LPCD's request for update information as to the chemical constituents of U.S. Reduction's waste being disposed at Gary, including the attachments.

- (6) Letter of May 5, 1983, from J & L Steel to Indiana's Land Pollution Control Division Special Projects Section Chief regarding disposal of J & L's Central Treatment Plant and Terminal Treatment Plant sludges as non-RCRA special wastes, including the attachments.
- (7) Letter of May 16, 1983, from LTV Steel to Indiana's Land Pollution Control Division Special Projects Section Chief regarding request for renewal to dispose of J & L's titzel unit oil sludge at Gary Development as a non-RCRA Indiana special waste, including the attachments to this request.
- (8) Letter of September 9, 1983, from Indiana's Land Pollution Control Division Chief of Geology/Chemistry advising Gary Development to comply with RCRA Subpart F groundwater monitoring if it has qualified for interim status and has operated as a RCRA facility since November 19, 1980.
- (9) Letter of January 24, 1984, from Indiana Environmental Management Board Technical Secretary Pickard to Youngstown Sheet and Tube advising of the new statute adopted by the Indiana General Assembly in 1983 for delisting of hazardous wastes and stating that facilities which were granted delisting variances, but which do not appear in Appendix A, will continue their variance until a review for a delisting is completed.
- (10) Excerpts of testimony by George Oliver of Indiana's Division of Land Pollution Control relevant to delisting of Jones & Laughlin Steel Corporation wastes, before a hearing officer of the Indiana Environmental Management Board on September 10, 1984, in Cause No. N-146 entitled Gary Development Company, Inc., Petitioner v. Indiana Environmental Management Board, Respondent, pages 117-122.
- (11) Letter of July 1, 1985, by Indiana's Land Pollution Control Division's Hazardous Waste Management Branch Chief to American Chemical Waste, Inc. requesting information on its waste disposal at Gary Development specifically regarding 33 shipments of hazardous waste labeled "F005."
- (12) Letter of July 3, 1985, from American Chemical Waste Service to Indiana's Land Pollution Control Division responding to the Division's Hazardous Waste Management Branch Chief by stating that

American's wastes shipped to Gary after November, 1980, were inaccurately manifested as F005 and should have been manifested as B001.

- (13) Letter of August 20, 1985, from LTV Steel Company's Superintendent of Environmental Control regarding the consistent nature of its waste sludges.
- (14) Report letter of September 13, 1985, from ATEC Associates with attachments regarding completion of borings at Gary Development.
- (15) Report letter of November 8, 1985, from ATEC Associates with attachments regarding completion of borings at Gary Development.

Preliminary List of Witnesses

Gary Development Company, Inc., by counsel, hereby submits its preliminary list of witnesses:

- (1) Kenneth A. Fenner, Chief  
Water & Hazardous Materials Enforcement Branch  
U.S. Environmental Protection Agency  
Region V  
230 South Dearborn Street  
Chicago, Illinois 60604
- (2) Dr. George Smith  
Technical Coordinator  
Jones & Laughlin Steel Corporation  
Graham Research Laboratory  
900 Agnew Road  
Pittsburgh, Pennsylvania 15227
- (3) William G. Sproat, Jr.  
Environmental Scientist  
Hazardous and Industrial Waste Division  
Office of Solid Waste & Emergency Response  
U.S. Environmental Protection Agency  
Washington, D.C. 20460
- (4) William Miner, Chief  
Technical Programs Compliance Section  
U.S. Environmental Protection Agency  
Region V  
111 West Jackson Street  
Chicago, Illinois 60604

- (15) Thomas R. Hendon, P.E.  
Environmental Director  
U.S. Reduction Company  
4610 Kennedy Avenue  
East Chicago, Indiana 46312
- (6) George Oliver  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (7) Carl Broman, Superintendent  
Environmental Control Department  
Jones & Laughlin Steel Corporation (LTV)  
2500 New York Avenue  
Whiting, Indiana 46394
- (8) Karyl K. Schmidt, Chief  
Geology/Chemistry Support Section  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (9) G. C. Smith  
Youngstown Sheet & Tube  
3001 Dickey Road  
East Chicago, Indiana 46312
- (10) James Tarpo, President  
American Chemical Services, Inc.  
420 South Colfax Avenue  
P. O. Box 190  
Griffith, Indiana 46319
- (11) Guinn Doyle, Chief  
Hazardous Waste Management  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (12) Steven Stanford, Geologist  
John W. Weaver, III, P.E., Vice President  
Robert J. Grillo, P.E., Engineering Manager  
ATEC Associates, Inc.  
1501 East Main Street  
Griffith, Indiana 46319

- (13) Bruce Palin  
former Engineering Chief of Indiana  
Land Pollution Control Division  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (14) Rick Jones, Geologist  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (15) Peter J. Rasor, Chief  
Chemical Evaluations Section  
Indiana Department of Environmental Management  
105 South Meridian Street  
P. O. Box 6015  
Indianapolis, Indiana 46225-6015
- (16) Larry Hagen  
Vice President and General Manager  
Gary Development Company, Inc.  
479 North Cline Avenue  
P. O. Box 6056  
Gary, Indiana 46406
- (17) Terry R. West, Ph.D., P.E.  
Associate Professor of Geological Engineering  
Purdue University  
West Lafayette, Indiana 47906

#### Summary of Testimony

1. The names of most of the witnesses set forth hereinabove appear on one or more exhibits set forth hereinabove. Thus, their testimony will relate to the subject matter of documents either sent by them or to them. Copies of these documents have been forwarded to Region V counsel.

2. Bruce Palin will be called to testify as to his review of Gary's site development plans, especially regarding installation of the proposed leachate collection system.

3. Rick Jones is a geologist with the Indiana Department of Environmental Management. He will be called to testify regarding boring log data and permeability analyses reviewed regarding a perimeter wall at Gary Development.

4. Peter Rasor is the Chief of Chemical Evaluation for the Indiana Department of Environmental Management (formerly Land Pollution Control Division). He will be called to testify as to his previous reviews of chemical information submitted by generators LTV Steel (Jones & Laughlin Steel), U.S. Reduction Company, and American Chemical Service to the state environmental agency regarding approvals obtained to dispose of wastes at Gary Development.

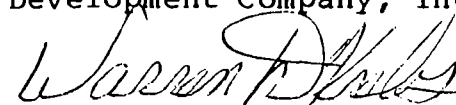
5. Larry Hagen is Executive Vice President and General Manager of Gary Development. Mr. Hagen will be called to testify regarding the exhibits set forth hereinabove, the interim status application submitted by Gary Development and his conversations with U.S. EPA representatives, and operations and disposal at Gary Development.

6. Terry R. West, Ph.D., P.E. is an Associate Professor of Geological Engineering at Purdue University, West Lafayette, Indiana. Dr. West will testify as to the site's geology and the permeability of its perimeter walls based upon his review of technical information and the facility itself.

PARR, RICHEY, OBREMSKEY & MORTON

Attorneys for Respondent  
Gary Development Company, Inc.

By



Warren D. Krebs

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Preliminary Exhibit and Witness Lists of Gary Development Company, Inc. upon Marc M. Radell, Assistant Regional Counsel, United States Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604; and Beverly Shorty, Regional Hearing Clerk, United States Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604; by U.S. Mail, postage prepaid, this 16th day of February, 1987.



Warren D. Krebs

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